UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD GOOGLE LLC, Petitioner, v. UNILOC 2017 LLC, Patent Owner.

Case No. IPR2020-00755 U.S. Patent No. 6,366,908 Filing Date: December 30, 1999 Issue Date: April 2, 2002

PETITION FOR INTER PARTES REVIEW



TABLE OF CONTENT

I.	Intr	ntroduction		
II.	Overview of Prior Art			
	A.	Braden-Harder2		
		1. Incorporation of the <i>Heidorn</i> and <i>Messerly</i> patent applications5		
		2. <i>Heidorn</i>		
		3. Messerly		
	B.	Grossman		
	C.	Kucera15		
	D.	Miller16		
III.	The	e '908 Patent17		
	A.	Overview		
	В.	Challenged Claims		
IV.	Lev	vel of Ordinary Skill22		
V.	Cla	im Construction23		
	A.	Prior Art Renders Claims Obvious Under Both Parties' Proposed		
		District Court Constructions		
	B.	Step-Plus-Function Terms		
		1. "keyfact extracting step for" (Functions [6a1], [6a2], [6a3])25		
		2. "keyfact indexing step for" (Functions [6b1], [6b2])		
		3. "keyfact retrieving step for" (Functions [6c1], [6c2], [6c3])29		



VI.	Claims 6-12 Should Be Cancelled		
	A.	Claims 6-12 Would Have Been Obvious over <i>Braden-Harder</i> in	
		view of Grossman (Ground 1) or over Braden-Harder in view of	
		Heidorn, Messerly, and Grossman (Ground 2)	33
		1. Independent claim 6	33
		2. Claim 7	63
		3. Claim 8	65
		4. Claim 9	69
		5. Claim 10	70
		6. Claim 11	79
		7. Claim 12	83
	В.	Claims 7-9 Would Have Been Obvious over <i>Braden-Harder</i> in	
		View of Grossman, as Set Forth in Ground 1, and Further in	
		View of Kucera (Ground 3) or over Braden-Harder in View of	
		Heidorn, Messerly, and Grossman, as Set Forth in Ground 2, and	
		Further in View of <i>Kucera</i> (Ground 4)	85
		1. Claim 7	85
		2. Claims 8-9	87
	C.	Claim 9 Would Have Been Obvious over Braden-Harder in	
		View of Grossman, as Set Forth in Ground 1, and Further in	
		View of Miller (Ground 5) or over Braden-Harder in View of	
		Heidorn, Messerly, and Grossman, as Set Forth in Ground 2, and	
		Further in View of <i>Miller</i> (Ground 6)	87



	D.	Claim 9 Would Have Been Obvious over Braden-Harder in	
		View of Grossman and Kucera, as Detailed in Ground 3, and	
		Further in View of Miller (Ground 7) or over Braden-Harder in	
		View of Heidorn, Messerly, Grossman, and Kucera, as Detailed	
		in Ground 4, and Further in View of Miller (Ground 8)	90
VII.	Goo	ogle Raises New Unpatentability Grounds	90
VIII.	Maı	ndatory Notices	93
	A.	Real Party-in-Interest	93
	B.	Related Matters (37 C.F.R. §42.8(b)(2))	93
	C.	Counsel and Service Information	94
IX.	Gro	unds for Standing	94
37		1 .	0.5



TABLE OF AUTHORITIES

Page(s) Cases Advanced Display Sys., Inc. v. Kent State Univ., 212 F.3d 1272 (Fed. Cir. 2000)6 Blackboard, Inc. v. Desire2Learn, Inc., 574 F.3d 1371 (Fed. Cir. 2009)25, 27, 29 Commonwealth Sci. & Indus. Research Org. v. Buffalo Tech. (USA), Inc., In re Google LLC, No. 2019-126, 2020 U.S. App. LEXIS 4588 (Fed. Cir. Feb. 13, 2020)......92 Harari v. Lee, 656 F.3d 1331 (Fed. Cir. 2011)6 Masco Corp. v. United States, 303 F.3d 1316 (Fed. Cir. 2002)25 Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co., 868 F.3d 1013 (Fed. Cir. 2017)23 Okajima v. Bourdeau, 261 F.3d 1350 (Fed. Cir. 2001)22 Paice LLC v. Ford Motor Co., 881 F.3d 894 (Fed. Cir. 2018)6 Phillips v. AWH Corp., 415 F.3d 1303 (Fed. Cir. 2005) (en banc)23



DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

